



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael A. Pouchak

Serial No.: 10/643,376

Examiner: unknown

Filing Date: August 18, 2003

Group Art: 3744

For: THERMOSTAT HAVING MODULATED AND NON-MODULATED PROVISIONS

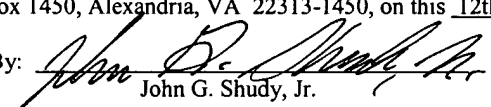
Docket No.: H0005578 (1161.1125101)

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 12th day of January, 2004.

By:

  
John G. Shudy, Jr.

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F. R. §1.98(a)(2), a copy of each non-US patent document or other information listed on the enclosed Form 1449 is provided.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

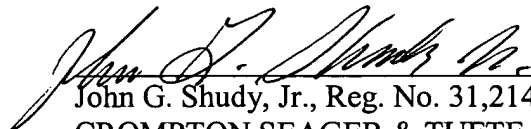
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

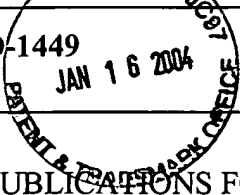
Respectfully submitted,

Michael A. Pouchak

By his attorney,

Date: 1-12-04

  
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John G. Shudy, Jr., Reg. No. 31,214  
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Page 1 of 3 <b>FORM PTO-1449</b> 	Atty. Docket No.: H0005578 (1161.1125101)	Serial No.: 10/643,376
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Michael A. Pouchak	
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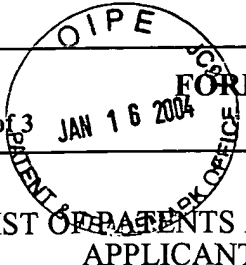
U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
	2002/0011923A1	01/31/02	Cunningham et al.	
	2002/0022991A1	02/21/02	Sharood et al.	
	2002/0138184A1	09/26/02	Kipersztok et al.	
	2003/0014179A1	01/16/03	Szukala et al.	
	2003/0033156A1	02/13/03	McCall	
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	2003/0074489A1	04/17/03	Steger et al.	
	4,332,352	06/01/82	Jaeger	
	4,337,893	07/06/82	Flanders et al.	
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	6,141,595	10/31/00	Gloudeman et al.	
	6,149,065	11/21/00	White et al.	
	6,154,681	11/28/00	Drees et al.	
	6,167,316	12/26/00	Gloudeman et al.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


**FORM PTO-1449**

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Applicant: Michael A. Pouchak		
Filing Date: August 18, 2003		Group Art: 3744

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
	6,453,687	09/24/02	Sharood et al.	
	6,518,953	02/11/03	Armstrong	
	6,546,419	04/08/03	Humpleman et al.	
	6,556,899	04/29/03	Harvey et al.	

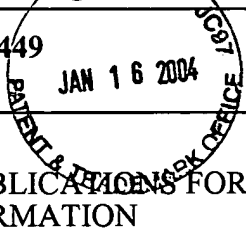
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	<a href="http://www.tcsbasys.com/products/superstats.asp">http://www.tcsbasys.com/products/superstats.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1009.asp">http://www.tcsbasys.com/products/sz1009.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1022.asp">http://www.tcsbasys.com/products/sz1022.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
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	<a href="http://www.tcsbasys.com/products/sz1041.asp">http://www.tcsbasys.com/products/sz1041.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1050series.asp">http://www.tcsbasys.com/products/sz1050series.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.

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	<a href="http://www.tcsbasys.com/products/sz1051.asp">http://www.tcsbasys.com/products/sz1051.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
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